

Annual 47 C.F.R. § 64.2009(e) CPNI Certification Template

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2019 covering the prior calendar year 2018

1. Date filed: February 12, 2019
2. Name of company(s) covered by this certification: City of Hawarden dba HITEC
3. Form 499 Filer ID: 819524
4. Name of signatory: Michael DeBruin
5. Title of signatory: City Administrator
6. Certification:

I, Michael DeBruin, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47. C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed Michael DeBruin

Attachments: Accompanying Statement explaining CPNI procedures

**CERTIFICATE OF COMPLIANCE WITH PROTECTION OF
CUSTOMER PROPRIETARY NETWORK INFORMATION RULES
and letter of Inquiry eb-06-4495 Response**

Mike DeBruin signs this Certificate of Compliance and inquiry response in accordance with § 222 of the Telecommunications Act of 1996, as amended, 47 USC 222, and 47 CFR 64.2009, on behalf of The City of Hawarden Municipal Utilities dba HITEC Communications. This Certificate of Compliance addresses the requirement of 47 CFR 64.2009 that the Company provide both a Certificate of Compliance and a "statement accompanying the certificate" to explain how its operating procedures ensure compliance with 47 CFR 64.2001-2009.

On behalf of the Company, I certify as follows:

1. I am the City Administrator of the Company. My business address is 1150 Central Avenue, Hawarden, Iowa 51023.
2. I have personal knowledge of the facts stated in this Certificate of Compliance. I am responsible for overseeing compliance with the Federal Communications Commission's (FCC) rules relating to customer proprietary network information (CPNI).
3. The Company has established a system by which the status of a customer's approval for use of CPNI, as defined in 47 USC 222(h)(1), can be clearly established prior to the use of CPNI. The Company relies on the involvement of its high level management to ensure that no use of CPNI is made until a full review of applicable law has occurred.
4. The Company trains its personnel regarding when they are authorized to use CPNI, as well as when they are not authorized to use CPNI. However, Company personnel make no decisions regarding CPNI without first consulting with myself or Kristi Warner, The Company's Customer Service Manager. The Company has an express disciplinary process in place for personnel who make unauthorized use of CPNI.
5. The Company's policy is to maintain records of its own sales and marketing campaigns that use CPNI. To date, The Company has not ever used CPNI for sales or marketing purposes. The Company likewise maintains records of its affiliates' sales and marketing campaigns that use CPNI. The Company also maintains records of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. These records include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. To date, none of The Company's affiliates nor have any third parties associated with The Company undertaken a sales or marketing effort that has used CPNI and no affiliates or third parties were given access to The Company's CPNI. The Company maintains these records in its offices for a minimum of one year.

6. The Company has a supervisory review process regarding compliance with the FCC's rules relating to protection of CPNI for outbound marketing situations. The purpose of this supervisory review process is to ensure compliance with all rules prior to using CPNI for a purpose for which customer approval is required. Company personnel, prior to making any use of CPNI, must first consult with myself or Kristi Warner regarding the lawfulness of using the CPNI in the manner contemplated. In deciding whether the contemplated use of the CPNI is proper, either Kristi or I consult one or more of the following: the Company's own compliance manual, the applicable FCC regulations, the FCC's Compliance Guide, and, if necessary, legal counsel. The Company's sales personnel must obtain supervisory approval from either Kristi or I regarding any proposed use of CPNI. Again, no sales or marketing campaigns undertaken by The Company, its affiliates or related third parties to date have used CPNI.

7. Further, both Kristi and I personally oversee the use of opt-in, opt-out, or any other approval requirements, or notice requirements (such as notification to the customer of the right to restrict use of, disclosure of, and access to CPNI), contained in the FCC's regulations. I also review all notices required by the FCC regulations for compliance therewith.

8. Kristi and I also ensure that the Company enters into confidentiality agreements, as necessary, with any joint venture partners or independent contractors to whom it discloses or provides access to CPNI.

9. The Company's policy is to maintain records of customer approval for use of CPNI, as well as notices required by the FCC's regulations, for a minimum of one year. The Company maintains records of customer approval and disapproval for use of CPNI in a readily-available location that is consulted on an as-needed basis.

10. There have been no actions taken against data brokers and there have been no customer complaints received in the past year concerning unauthorized release of CPNI.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 16, 2019.

Mike DeBruin, City Administrator
HITEC Communications
Date: January 16, 2019

Signature: Michael DeBruin